



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Smith Docket No.: 101.00013
Application No.: 10/673,901 Group Art Unit: 3663
Filing Date: September 28, 2003 Examiner: Daniel L. Greene, Jr.
TITLE Less Lethal Weapons And Methods For Halting Locomotion

Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. §1.132

I, Magne ("Max") Nerheim, do hereby declare and state as follows:

1. I am Vice President of Research and Development for TASER International, Inc. ("TASER"). I began work for Patrick Smith in 1999. I became an employee of TASER in April 2002. I am aware of all research, design, engineering, manufacturing, quality assurance, and testing of TASER products from 1999 to present.
2. I hold a Master of Science in Electrical Engineering from Arizona State University, Tempe, Arizona; a Bachelor of Science in Electrical Engineering from Arizona State University, Tempe, Arizona; and an Engineering Degree from Trondheim College of Engineering, Trondheim, Norway. Before working with Patrick Smith I had extensive engineering design and engineering project management experience beginning in 1991 and continuing uninterrupted thereafter in the design of switch mode power supplies, microprocessor based systems, cellular telephone communication systems, and analog and digital signal analysis.
3. The Air TASER model 34000 is an electronic control device that accepts a cartridge on the front of the device. The cartridge includes a pair of wire-tethered darts and a nitrogen gas propellant. The device includes batteries, a high voltage power supply similar to the design described in U.S. Patent No. 4,253,132 to John Cover. The device has a laser sight that puts a spot on the target for aiming.
4. Under the direction of Patrick Smith, I designed the high voltage power supply for the TASER model M26 based on the results of animal studies. The M26 is an electronic control

device that has the same features as the Air TASER 34000 except for two. First, the M26 uses the electrical stimulus signal developed by Patrick Smith. Second, the M26 records the time and date of every trigger pull and reports recorded results through a data port connector. The M26 uses the same cartridge as the Air TASER 34000. Consequently, the operation and accuracy of the M26 is similar to the Air TASER 34000.

5. I have read the claims filed November 8, 2005. The M26 is an implementation of an electronic control device that performs a method that is within the independent claims filed November 8, 2005. I oversaw the initial production, testing, and quality control of the M26. The M26 is designed to operate at a point within the claimed ranges that produces a muscle response that is typical of operation at all other points within the claimed ranges. The method claims apply to both a remote stun function where wire-tethered darts are launched toward a target within about 15 feet and a local stun function where terminals of the electronic control device are pressed against the clothing or skin of the target. The M26 is capable of both remote and local stun functions.

6. Pursuant to the terms of 28 U.S.C. §1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true. The declarations made herein are made with the knowledge that willful false statements and the like are punishable by fine, imprisonment, or both under 18 U.S.C. §1001 and may jeopardize the validity of the present patent.

Magne Nerheim
Declarant's Signature

1/6/2006
Date

State of Arizona
Maricopa County

On 1/6/06
Date

Magne Nerheim
Name

VP of R&D
Title

personally appeared before me, known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument and acknowledged to me

that he or she executed the same in his or her authorized capacity, and that by his or her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal:

Paula N. Huffman _____
Signature Seal

